

MAINE STATE LEGISLATURE

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E I G H T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 522

H. P. 1453

House of Representatives, February 16, 1937.

Referred to Committee on Inland Fisheries and Game. Sent up for concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Higgins of Dennysville.

S T A T E O F M A I N E

I N T H E Y E A R O F O U R L O R D N I N E T E E N H U N D R E D
T H I R T Y - S E V E N

**AN ACT Relating to Dogs Chasing Game or Killing or Attacking Domestic
Animals.**

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 38, § 64, amended. Section 64 of chapter 38 of the revised statutes, as revised, is hereby amended to read as follows:

‘Sec. 64. Dogs shall be killed for hunting moose, caribou, deer or elk or worrying domestic animals. It is unlawful for any dog to hunt, chase, kill, wound or pursue any moose, caribou, deer or elk or any other wild animal in closed season and no person shall permit any dog owned by him to hunt, chase, kill, wound or pursue any moose, caribou, deer or elk at any time or any other wild animal in closed season. Any officer may kill any dog, which he finds in the act of hunting, chasing, killing, wounding or pursuing any moose, caribou, deer or elk at any time or any other wild animal in closed season or worrying, wounding or killing any domestic animal, when said dog is outside of the enclosure or immediate care of its owner or keeper. Any person having evidence of any dog, hunting, chasing, killing, wounding or pursuing moose, caribou, deer or elk at any time or any other wild animal in closed season may present said evidence to the

commissioner of inland fisheries and game or any game warden or deputy game warden who shall give notice in writing to the owner or keeper of said dog stating the acts committed by said dog. The owner or keeper of any dog so notified, shall not permit any dog mentioned in said notice to leave the immediate control of said owner or keeper under the penalty as provided in section 107. Any dog whose owner or keeper has been so notified in writing by a game warden may be killed by anyone when found committing any act prohibited by this section. Any owner of **sheep or poultry**, or any member of his family, or any person to whom is intrusted the custody of any sheep **or poultry**, shall have a right to kill any dog **killing or attacking** any of said sheep **or poultry**. Any person having any evidence of any dog hunting, chasing, killing, wounding or pursuing any moose, caribou, deer or elk, or any other wild animal in closed season, or of any dog kept and used for the purpose, or of any dog ~~worrying~~ wounding, ~~or~~ **killing or attacking** any domestic animal or fowl, or any fur-bearing animals legally in captivity, when said dog is outside of the enclosure or immediate care of his owner or keeper, may present said evidence to any trial justice or judge of any municipal court, which said trial justice or judge shall have power to issue a warrant against the owner of said dog, ordering him to appear before him and show cause why said dog should not be killed; and upon hearing the evidence in said case said court may order said dog killed by any officer. The costs of prosecution shall be paid by the owner or keeper of said dog. Any person may lawfully kill a dog which suddenly assaults him or another person.'